

C.A. No. 21-1714 (MN)

3. “Fresenius” refers to defendant Fresenius Kabi USA, LLC.

**QUESTION 1: INVENTORSHIP**

**Did Fresenius prove, by clear and convincing evidence, that any of the following claims of the '646 Patent is invalid for improper inventorship?**

**YES**  
(finding for Fresenius)

**NO**  
(finding for HQ and WG  
Critical Care)

Claim 1

\_\_\_\_\_

\_\_\_\_\_ 

Claim 2

\_\_\_\_\_ 

\_\_\_\_\_

Claim 3

\_\_\_\_\_ 

\_\_\_\_\_

**Please answer Question 2.**

**QUESTION 2: OBVIOUSNESS**

**Did Fresenius prove, by clear and convincing evidence, that any of the following claims of the '646 Patent is invalid as obvious in light of the prior art and the knowledge of a person of ordinary skill in the art?**

	<b>YES</b> (finding for Fresenius)	<b>NO</b> (finding for HQ and WG Critical Care)
Claim 1	_____	_____ ✓
Claim 2	_____	_____ ✓
Claim 3	_____	_____ ✓

*If you answered "Yes" to Question 1 for any claim, or if you answered "Yes" to Question 2 for all claims, proceed to page 5.*

*If you answered "No" to Question 1 for all claims and if you also answered "No" to Question 2 for any or all claims, please answer Question 3.*

**QUESTION 3: DAMAGES**

**What amount of lost profits, if any, did WG Critical Care prove by a preponderance of the evidence that it is entitled to recover for infringement of the '646 Patent?**

\$ \_\_\_\_\_

**For any sales of Fresenius' product for which you determine WG Critical Care is not entitled to lost profits, what amount of a reasonable royalty did Plaintiffs prove by a preponderance of the evidence that they are entitled to?**

\$ \_\_\_\_\_

**Please proceed to page 5.**

**UNANIMOUS VERDICT**

*Upon reaching a unanimous verdict on each question above, each juror must sign below, and the foreperson should add the date.*

We, the jury, unanimously agree to the answers to the above questions and return them under the instructions of this Court as our verdict in this case.

Foreperson

Juror

Juror

Juror

Juror

Juror

Juror

Juror

August 30 2024.